Informal ECOFIN - Line to take NL Presidency

The discussion at the Informal ECOFIN on the "Panama Papers" revelations focused on tax fraud, tax evasion, aggressive tax planning and money laundering. Member States underlined the critical importance of continuing and intensifying action in this field at national, EU and global level.

As regards transparency of information in the field of taxation, it was acknowledged that significant progress has been made in recent years at EU level. We have adopted the Directive on Administrative Cooperation that was recently completed by a third revision on tax rulings exchange; and a fourth one on country by country reporting between tax administrations. The Anti-Tax-Avoidance Directive is currently discussed and the Presidency is determined to reach agreement on this file at the May ECOFIN. Furthermore, the Commission has submitted to the Council a proposal on public country by country reporting of multinational accounts. The Presidency acknowledges the importance of bringing this file to a good conclusion and will start the discussions on the Commission's proposal already next week.

It emerged from the discussion that ministers support the establishment of an EU list of non-cooperative jurisdictions and coordinated defensive measures to be defined by the Council, working closely and in parallel with the OECD to draw the international criteria in this area. The Presidency aims for consensus on the method for setting up such listing and will propose conclusions to be adopted at the May Ecofin.

Based on the exchange of views, the Presidency invites the Commission to consider initiatives on Mandatory Disclosure Rules inspired by action 12 of the OECD BEPS project with a view to introducing more effective disincentives for intermediaries who assist in tax evasion schemes.

Regarding the international level, ministers were unanimous in calling for a swift and

comprehensive implementation of the internationally agreed standards on transparency and exchange of information developed by the OECD and encouraged all jurisdictions, including Panama, to commit to implement international standards as soon as possible. In that respect, the European Union is a major international player and must speak with one voice. We intend to stay a frontrunner in BEPS implementation in order to convince our partners on the international scene to adopt the standards agreed by the majority.

We welcome the fact that all member states will enter into a pilot project for the automatic exchange of information on ultimate beneficial owners. Furthermore the Netherlands Presidency will take forward the work on the amendment to the 4th Anti-Money Laundering Directive which, as the Commission announced, will be submitted to the European Parliament and the Council in June. We want to advance on this legislative proposal as far as we can before we hand it over to our Slovak colleagues who, as I understand, also see it as one of their priorities.

Ministers are of the opinion that the upcoming revision should go beyond amendments announced by the Commission in February, which are largely geared towards tackling terrorist financing. We therefore invited the Commission to consider improvements to address certain issues linked specifically to money laundering, in particular to enhance accessibility of beneficial ownership registers on corporate and other legal entities, as well as on trusts and similar legal arrangements, to clarify the registration requirements for trusts, to speed up the interconnection of national beneficial ownership registers, promote automatic exchange of information on beneficial ownership between authorities, and strengthen customer due diligence rules.